

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

SAMUEL KATZ, *et al.*, an individual,)
on his own behalf and on behalf of all)
others similarly situated,)

Plaintiffs,)

v.)

LIBERTY POWER CORP., LLC, *et al.*,)

Defendants.)

Civil Action No: 1:18-cv-10506-ADB

**JOINT MOTION FOR AN WEEK EXTENSION OF TIME FOR DEFENDANTS TO
FILE A RESPONSE TO PLAINTIFFS' SECOND AMENDED COMPLAINT**

Defendants Liberty Power Corp., LLC, and Liberty Power Holdings, LLC (collectively, “Defendants”), by counsel, with the consent of counsel for the Plaintiffs, move this Court for the entry of an order allowing Defendants an extension of time to file a response to Plaintiffs’ Second Amended Complaint (ECF No. 109) until January 9, 2019 to allow for a deposition to occur. In support thereof, Defendants state as follows:

1. On November 14, 2018, the Court granted Plaintiffs leave to file a Second Amended Complaint. (ECF No. 108).
2. On November 27, 2018, the Court granted the parties’ consent motion for an extension of time until December 12, 2018 for Defendants’ to respond to the Second Amended Complaint (ECF Nos. 111, 112).
3. In a separate but related proceeding pending in the United States District Court for the District of Maine, 1:18-mc-00203-JCN, the parties have reached an agreement regarding the deposition of Shelby Hinkley, Mr. Katz’s wife, to occur on December 19, 2018.
4. The parties mutually request this extension to allow for that deposition to occur and her testimony to be included in the parties’ briefing.

5. One previous request for an extension of time to respond to the Second Amended Complaint was sought and granted (ECF No. 111).

6. Counsel for Plaintiffs consent to the relief sought herein. However, Counsel for Plaintiffs conditioned this consent on receiving Defendants' consent to a similar extension for the filing of Plaintiffs' opposition to any motion filed by Defendants until February 13, 2019.

7. Counsel for Defendants consent to the above extension for Plaintiffs to file an opposition.

8. This brief delay will not prejudice any party or the Court.

9. The above constitutes good cause for this request.

WHEREFORE, Defendants, with consent from counsel for Plaintiff, hereby move this Court for the entry of an Order: 1) granting Defendants up to and through January 9, 2019 to file a response to Plaintiffs' Second Amended Complaint; 2) granting Plaintiffs up to and through February 13, 2019 to file an opposition to any motion filed by Defendants in response to the Second Amended Complaint; and 3) granting any other relief this Court deems just and proper.

Respectfully Submitted,

**Defendants Liberty Power Corp., LLC and
Liberty Power Holdings, LLC**

By Their Attorneys:

/s/ Jeffrey Brundage

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Counsel for Defendants Liberty Power Corp.,

LLC and Liberty Power Holdings, LLC

Dated: December 12, 2018

LOCAL RULE 7.1(a)(2) CERTIFICATE OF COMPLIANCE

I, Jeffrey Brundage, counsel for Defendants, hereby certify that on December 11, 2018, I conferred via electronic mail with counsel for the Plaintiffs who assented to the relief sought herein.

/s/ Jeffrey Brundage

Jeffrey Brundage

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) to:

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